

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Deutsche Bank National Trust Company  
as Indenture Trustee of the FBR  
Securitization Trust 2005-5 Mortgage  
Backed Notes, Series 2005-5,

Plaintiff,

v.

Case No. 1:14cv367

Bruce Montgomery, *et al.*,

Judge Michael R. Barrett

Defendants.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on September 24, 2014 (Doc. 8).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 8) of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's Motion to Remand (Doc. 7) is **GRANTED**.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
Michael R. Barrett  
United States District Judge